

AMENDED IN ASSEMBLY MAY 2, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 618

Introduced by Assembly Member Perea

February 20, 2013

An act to add Section 32527.5 to the Public Resources Code, relating to the San Joaquin River Conservancy.

LEGISLATIVE COUNSEL'S DIGEST

AB 618, as amended, Perea. San Joaquin River Conservancy: adoption of regulations: violations: penalties.

(1) Existing law establishes the San Joaquin River Conservancy in the Natural Resources Agency, and prescribes the membership and functions and duties of the conservancy. Existing law authorizes the conservancy to adopt and enforce regulations governing the use of San Joaquin Parkway lands and activities within the parkway, the protection and management of native riparian vegetation, wildlife, and other natural resources on parkway lands, and the protection of archeological sites.

This bill would make a person who violates any of the *posted* regulations adopted by the conservancy governing lands owned or managed by the conservancy guilty of ~~a misdemeanor~~ *an infraction* punishable by a maximum fine of \$1,000 or imprisonment in the county jail not exceeding 90 days, or by both the fine and imprisonment. ~~However, the bill would authorize the judge, upon the recommendation of the prosecuting attorney, to reduce the charged offense from a misdemeanor to an infraction not exceeding \$250.~~ By creating a new crime, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 32527.5 is added to the Public Resources
2 Code, to read:

3 32527.5. (a) A person who violates any of the *posted*
4 regulations adopted by the conservancy governing lands owned
5 or managed by the conservancy is guilty of a ~~misdemeanor~~ *an*
6 *infraction* punishable by a fine ~~of up to one thousand dollars~~
7 ~~(\$1,000), or imprisonment in the county jail not exceeding 90 days,~~
8 ~~or by both the fine and imprisonment, except that the judge may,~~
9 ~~upon the recommendation of the prosecuting attorney, reduce the~~
10 ~~charged offense from a misdemeanor to an infraction. A person~~
11 ~~convicted of the offense after this reduction shall be punished by~~
12 ~~a fine of not less than one hundred dollars (\$100) nor more than~~
13 ~~five hundred dollars (\$500) not exceeding two hundred fifty dollars~~
14 ~~(\$250).~~

15 (b) Any regulation adopted by the conservancy governing lands
16 owned or managed by the conservancy may be enforced by any
17 duly authorized California peace officer.

18 SEC. 2. No reimbursement is required by this act pursuant to
19 Section 6 of Article XIII B of the California Constitution because
20 the only costs that may be incurred by a local agency or school
21 district will be incurred because this act creates a new crime or
22 infraction, eliminates a crime or infraction, or changes the penalty
23 for a crime or infraction, within the meaning of Section 17556 of
24 the Government Code, or changes the definition of a crime within
25 the meaning of Section 6 of Article XIII B of the California
26 Constitution.

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